

TOWN OF ST. LEO
REGULAR COMMISSION MEETING AND PUBLIC HEARING
July 11, 2011
7:00 PM

OPENING,
INVOCATION AND

PLEDGE OF ALLEGIANCE – William Hamilton

ROLL CALL Donna DeWitt, O.S.B. – Mayor ProTem (arrived late)
Richard Christmas – Commissioner
William E. Hamilton – Mayor
Jack Gardner - Commissioner
Robert Courtney - Commissioner

STAFF Patricia Petruff, Town Attorney
Jan Norsoph – Town Planner
Joan Miller, Town Clerk

GUESTS Frank Mezzanini, SLU
Dan Fowler – Lunz, Prebor and Fowler
Tom Wieland
Brother James Hallett, O.S.B.
Charles Waller
Dennis Huffman
Ronnie Deese- Lake Jovita Homeowners Association
Cliff Manuel Jr.-President Coastal Engineering
Dianne Gajewski
Erik Pierce
Barbara Wilhite-Lake Jovita Subdivision Attorney
Thomas Gould-Saint Leo University Land Attorney
Leigh Ann Lunz– Lunz, Prebor and Fowler
Ken Jernigan
Two court reporters were present.
Other Saint Leo University and Lake Jovita Subdivision residents and interested parties attended

MINUTES

MOTION: TO APPROVE THE MINUTES OF JUNE 13, 2011.

MOTION BY: Commissioner Christmas

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for approval – Adopted 4/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED JULY 11, 2011.

MOTION BY: Commissioner Christmas

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for approval – Adopted 4/0

Sr. Donna arrived

MAYOR'S REPORT –

Quasi Judicial Proceedings – Attorney Petruff addressed the commission and guests.

She explained the procedure that was going to be taken during the meeting. For the record, each of the commissioners disclosed any ex parte communication that took place with any representatives of Saint Leo University or Lake Jovita Subdivision pertaining to the minor modification, the tree removal and the practice field. Commissioners Christmas, DeWitt, Courtney, and Hamilton made disclosures.

Petruff also advised the commission to follow the agenda and discuss the Saint Leo University agenda items separately.

Saint Leo University PUD 10-A, Minor Modification #2

The planner recommended approval for this modification. Although not a public hearing, the commission accepted comments from the audience. Thomas Gould, spoke for Saint Leo University, and Barbara Wilhite, spoke for the Lake Jovita Homeowners Association. Handouts were provided by both parties.

The town commission asked questions.

Discussion.

Resolution 11-07

MOTION: TO APPROVE RESOLUTION 11-07 APPROVING PUD#10-A, MINOR MODIFICATION #2: SAINT LEO UNIVERSITY CAMPUS MASTER PLAN RELATED TO THE TIMING CHANGE OF THE PRACTICE FIELD PROJECT.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner Courtney

Discussion.

VOTE: Unanimous for approval – Adopted 5/0

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Public Hearing Case File TRP #11-A (Tree Removal) was opened.

Being a public hearing everyone that wanted to speak to the commission about Case File TRP #11-A, and/or case File SPR/VAR #11-A was sworn in by Clerk Miller.

Planner Norsoph gave an overview of the application request and in relation to the land Development Code, specifically the trees that are diseased, the total requested to be removed, and the total replacement trees required by code. Alternatives were discussed.

The applicant, Saint Leo University, gave a presentation along with their supporting parties and asked for approval of TRP Case #11-A, specifically requesting the Commission to approve Alternative #2 as described by Town Planner Norsoph. A tree replacement plan will be prepared by November 1, 2011.
Discussion.

The opposition gave a presentation along with their supporting parties defending their position requesting the Town to deny the applicants request and to continue this topic until a compromise regarding buffering the adjacent Lake Jovita Subdivision, has been achieved. Although trees and native vegetation is requested, no requests for tree removal was made.
Discussion.

The floor was open for public comment.

PUBLIC COMMENT PORTION OF PUBLIC HEARING WAS CLOSED

Discussion and questions by the Town Commission followed.

BREAK 9:20 PM

RECONVENE 9:37 PM

Gould and Wilhite met during the break, compromises were made and upon the meeting being reconvened, the results were presented by Barbara Wilhite, Saint Leo University concurred.
Concerns were discussed.

RESOLUTION 11-08

MOTION: TO APPROVE RESOLUTION 11-08, ALTERNATIVE #2, APPROVING THE SAINT LEO UNIVERSITY INC. TREE REMOVAL REQUEST WITH CONDITIONS. STIPULATIONS AGREED UPON AND READ INTO THE RECORD (REGARDING BUFFERING CAPACITY).

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for approval – Adopted 5/0

MOTION: TO AUTHORIZE THE MAYOR TO EXECUTE A REVISED RESOLUTION 11-08, WITH CONDITIONS AND STIPULATIONS, AFTER REVIEW AND APPROVAL BY TOWN PLANNER AND ATTORNEY.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for approval – Adopted 5/0

Public Hearing Case File SPR/VAR #11-A (Practice Field)

The Public Hearing was opened.

Saint Leo University and the Lake Jovita Subdivision came to an agreement regarding this variance including amended wording in condition #6, linking the approval of this variance to the SWFWMD approval.

Discussion.

Questions were received from the public regarding the practice field, the variance and any other related topics.

Mr. Gould provided a summary of the Saint Leo University request.

Planner Norsoph gave a brief report.

(10:12 PM) PUBLIC COMMENT PORTION OF PUBLIC HEARING WAS CLOSED.

Discussion.

MOTION: TO APPROVE RESOLUTION 11-09, APPROVING THE SAINT LEO UNIVERSITY, PRACTICE FIELD SITE PLAN SPR/VAR #11-A, WITH CONDITIONS 1 THROUGH 5 AS RECOMMENDED BY THE TOWN PLANNER TO INCLUDE THE CHANGE TO CONDITION #6 AS READ INTO THE RECORD WITH STIPULATIONS 7, 8 AND 9 AS RECOMMENDED BY THE TOWN PLANNER WITH THE ADDITIONAL SEVEN STIPULATIONS AGREED UPON BY LAKE JOVITA SUBDIVISION AND SAINT LEO UNIVERSITY AND READ INTO THE RECORD, ALSO AUTHORIZING THE MAYOR TO EXECUTE A REVISED RESOLUTION 11-09, WITH CONDITIONS AND STIPULATIONS, AFTER REVIEW AND APPROVAL BY TOWN PLANNER AND ATTORNEY.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for approval – Adopted 5/0

ADOPTION OF A PROPOSED MILLAGE RATE

The adoption of a proposed millage rate is required by state statute. A draft budget for fiscal year 2011-2012 with revenue/expenditure line item worksheets and a quarterly was provided.

MOTION: TO ADOPT A PROPOSED MILLAGE RATE FOR THE 2011-2012 YEAR SET AT 1.30 MILS.

MOTION: Commissioner Christmas

SECOND: Commissioner Gardner

Discussion.

VOTE: Approved, 5/0 Vote

The September 12, 2011 meeting will be the first public hearing for the new budget.

COMMISSION REPORT

The field work for the Christmas Drive Boundary Survey has been completed. Once the draft has been approved it will be recorded in the public record.

PLANNER REPORT

Planner Norsoph said that he would keep the commission updated regarding changes to new growth management requirements.

ATTORNEY REPORT

The State of Florida has preempted all regulation of firearms and ammunition. Local governments are no longer allowed to regulate the firing of guns in their jurisdiction. Since we have codes relating to the firing of blank cartridges and the firing of firearms within town limits, an amendment to our ordinance has been drafted. This ordinance will be read at the August and September meetings.

OLD BUSINESS

Town Hall Sign The sign has been ordered and may be installed prior to the August meeting.

CLERK'S REPORT

The August Municipal Association of Pasco meeting has been cancelled. The East Pasco Water Coalition meeting will be held on July 28th in San Antonio.

Pasco County Deputy Molasso has moved out of state and Deputy Barry Arnew will take his place.

The Town Clerk will be on vacation from July 13 through the 22nd.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 10:30 P.M.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

VOTE: Unanimous for Resolution – 5/0 Adopted

Respectfully,
Joan Miller, C.M.C.